

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALRELIO EVANS,

Plaintiff,

Case No. 1:24-cv-913

v.

Honorable Hala Y. Jarbou

HEIDI WASHINGTON et al.,

Defendants.

ORDER LIFTING STAY AND FOR SERVICE

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Sixteen state prisoners initiated this action by filing one complaint on September 6, 2024, and paying the full \$405.00 filing fee. In an order (ECF No. 3) entered on September 13, 2024, the Court severed Plaintiffs' claims into 16 related cases and directed each Plaintiff to file an amended complaint in his own case. The Court noted that Plaintiff Evans could proceed in the above-captioned action.

The Court received Plaintiff's amended complaint (ECF No. 8) on October 1, 2024. In an opinion and order (ECF Nos. 11, 12) entered on October 22, 2024, the Court partially dismissed Plaintiff's amended complaint, under 28 U.S.C. § 1915A and 42 U.S.C. § 1997e(c), for failure to state a claim upon which relief could be granted. The Court then referred the case to the *Pro Se* Prisoner Civil Rights Litigation Early Mediation Program and entered an order staying the case for any purpose other than mediation. (ECF No. 13.) On December 3, 2024, the case was removed from early medication because not all Defendants had entered a limited appearance in the time provided to do so. (ECF No. 15.) Accordingly,

IT IS ORDERED that the stay of this proceeding that was entered to facilitate the mediation is **LIFTED**.

IT IS FURTHER ORDERED that the 90-day period for service set forth in Federal Rule of Civil Procedure 4(m) shall run, starting with the date of this order.

IT IS ORDERED that the Clerk shall issue a summons for Defendants Washington, Davids, Bonn, Brokaw, Dunigan, Luther, Simon, Smith, Saad, Shafer, Norton, Bookie, and Maranka and send the summonses to Plaintiff with a copy of this order and one copy of the complaint and any exhibits. Because Plaintiff is not proceeding *in forma pauperis* in this action, he is responsible for service of the summons and complaint upon each Defendant. *See* Fed. R. Civ. P. 4.

IT IS FURTHER ORDERED that each Defendant shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, no Defendant is required to file an answer or motion in response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After a Defendant has filed an appearance, the Court will enter a case management order to govern further proceedings in this case.

Dated: December 6, 2024

/s/ Ray Kent
Ray Kent
United States Magistrate Judge